

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RICHARD P. by and for	)	No. 03-390 Erie
RACHEL P. and DENISE L. by	)	
and for KRISTINA L.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	<b>Jury Trial Demanded</b>
	)	
SCHOOL DISTRICT OF THE CITY	)	Electronically Filed
OF ERIE, et al.,	)	
	)	
Defendants.	)	

**PLAINTIFFS' PROPOSED VOIR DIRE**

1. Have you ever had employment with any government entity?  
If so, which one, and what was your job?

2. Have you ever worked for the Erie School District?

3. Do you know anyone who works for the Erie School District?

4. Do you, or do you know anyone, who works for any school  
district? If so, who and how is that person related to you?

5. What job do they have?

6. Has any member of your family attended the Erie School  
District? If so, when and what school?

7. Have you ever worked for a hospital or medical provider which provides, or was involved in the provision of mental health services?

8. Have you had any dealing with Sarah Reed Children's Center?

9. Do you, or any member of your family, work for Sarah Reed Children's Center?

10. Do you know anyone who works for Sarah Reed Children's Center?

11. Have you ever been involved in politics in Erie County? If so, have you had interactions or dealings with any member of the Cappabianca family?

12. Have you ever had dealings with any member of the Cappabianca family, personal, business, or political?

13. Do you have any opinions of the Cappabianca's that might influence your ability to judge a case fairly when one of the parties is Linda Cappabianca?

14. Has any member of your family received special education services, and, if so, would anything about that experience impair your ability to judge a case which involved students who received special education?

15. Would you have trouble awarding a verdict against a school district, if you thought that the evidence warranted such a verdict, merely because of the fact that the school district is a public entity and survives on public funds?

16. Would you have trouble believing the testimony of an adolescent, if it contradicted, or was different from the testimony of an adult teacher, or any other adult?

17. Would you tend to believe the testimony of a school teacher or school district official simply by virtue of their status as a teacher or school district official?

18. Do you have any prejudice against persons suffering from a disability?

19. Would you have trouble believing a person merely because they are disabled or mildly mentally retarded?

20. Do you have any beliefs that a mildly mentally retarded person does not have rights equal to others, who have normal intelligence?

21. Do you have feelings about mental illness, such that you might not be able to judge a case fairly when it is alleged that a party has suffered a mental illness as a result of the conduct of the other party?

22. Have you have views that people with mental health bring those problems on themselves or they could overcome those problems if they put their minds to it?

23. Do you think people who suffer from mental illness tend to feel sorry for themselves, more so than others, or tend to look for excuses?

24. Would you have trouble believing a person merely because, at various times in the person's life, they have had to receive DPW assistance or medical assistance?

25. Do you have feelings, either pro or con, relative to citizens suing the government?

26. Do you have feelings or beliefs concerning the rights of individuals to seek enforcement of civil rights?

27. Do you believe there is too much litigation in our society and, if so, would that impact your ability to decide the facts of this case fairly?

28. Have you or any member of your family been involved in criminal proceedings? If so, in what capacity?

29. Do you think that girls who are sexually assaulted have, in some fashion, invited the assault or enjoyed the assault?

30. Do you believe that girls who are victims of sexual assault should share in the responsibility for the assault occurring?

31. Do you think that girls who have been victims of sexual assault deserve to be punished in any way?

32. Do you believe that sexual activity, such as oral sex, is common among 12-year-old children in our society? If so, do you approve of such conduct?

33. Have you, or has anyone in your family, ever taught in a public school or private school?

34. Has any member of your family ever been involved in special education or been the recipient of an individualized education program?

Respectfully submitted,

s/ Edward A. Olds  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 20, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

James T. Marnen, Esquire  
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S/ Edward A. Olds  
Edward A. Olds, Esquire